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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,087	09/16/2003	Chester Lawrence Mallory	TP-1	3723
28875	7590	08/15/2006	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			GABLER, PHILIP FRANCIS	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/664,087	Applicant(s) MALLORY ET AL.	
	Examiner Philip Gabler	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 12-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 20-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. It is unclear whether the rails recited in claim 3 are equivalent to the at least one cross member of claim 2 or are new and separate limitations. The claim is accordingly deemed indefinite.
4. Claims 4-7 are deemed indefinite as being dependent on an indefinite claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 10, 11, and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis (US Patent Number 5549372).
7. Regarding claims 1 and 22, Lewis (Figures 1, 4, and 5) discloses a security enclosure for a gaming machine system comprising: a gaming machine main housing

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(1) defining a chamber and having a major opening (at the front of the cabinet); a gaming machine door assembly (the front panel assembly covering the opening) operably connected to the gaming machine main housing and movable between an open position providing external access to the chamber and a closed position securing the major opening (shown only in the closed position, but an open position is discussed in column 2 lines 38-44, for instance); and the gaming machine door assembly comprising a plurality of components (5, 6, 8, 21, 34, 35, etc.), at least some of the components being elongated members (21, 35, etc.) having fasteners (viewed as the shaped ends of vertical members 21, 35, for mating with other components) at opposed end portions capable of facilitating individual finishing of the components (in as much as Applicant's fasteners do so).

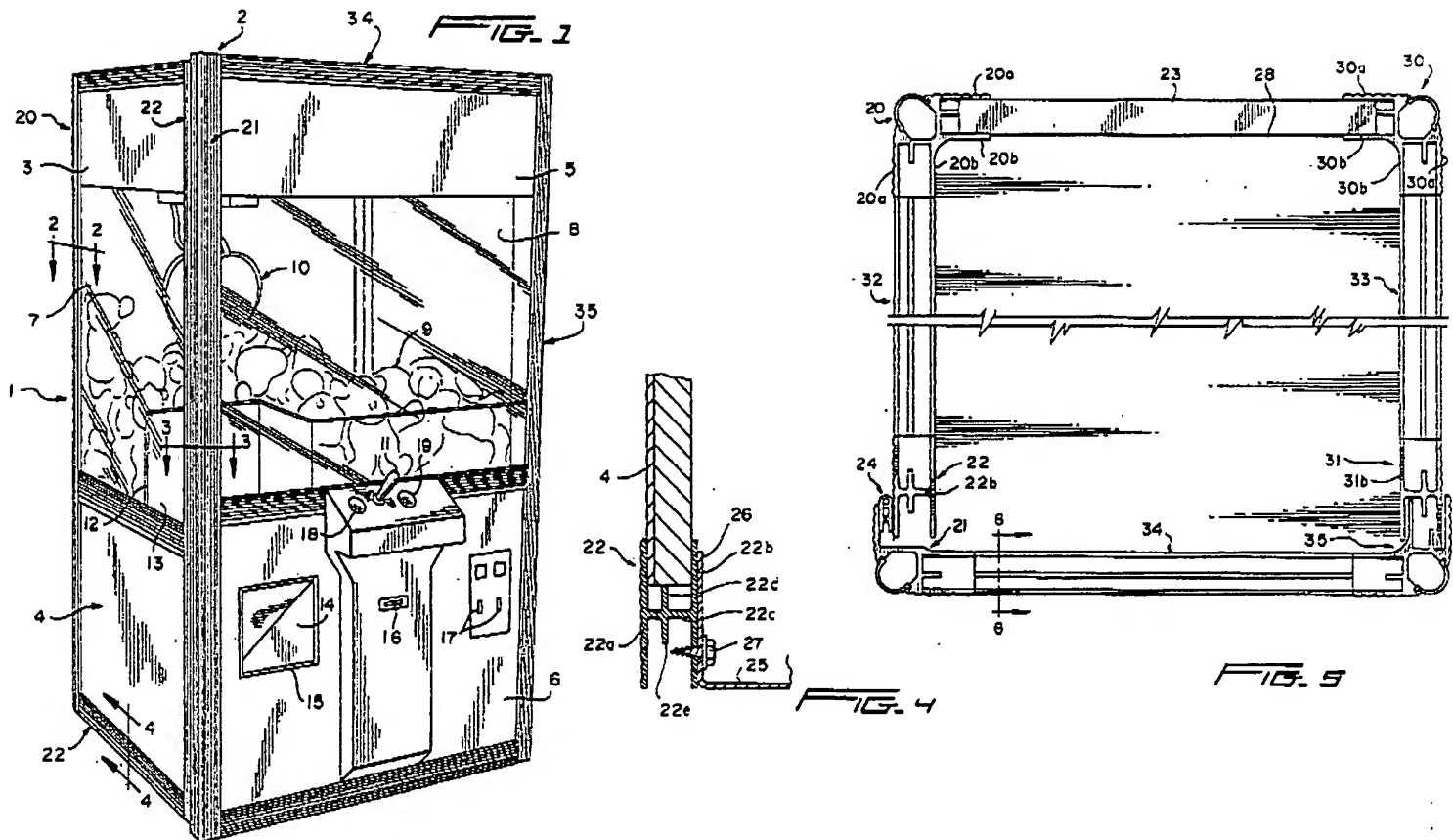
8. Regarding claim 10, Lewis further discloses at least one of the door components has a different surface finish than other door components (components 5 and 6, for instance, are finished in a decorative manner, as opposed to component 8, which is not).

9. Regarding claim 11, Lewis further discloses the components are secured closely to each other, such that the gaming machine door assembly is free of gaps to prevent unwarranted entry to the chamber when the gaming machine door assembly is closed (see figures).

10. Regarding claims 20 and 21, Lewis further discloses individual finishing of at least some of the components includes coating or plating (column 2 lines 50-52 describes a laminate, viewed as a coating or plating). [Note that the disclosure

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specifically refers to panel 4 regarding the surface finish, however, it is clear from the figures and disclosure that panels 3-6 are all to be finished in the same manner.]



Lewis '372 Figures 1, 4, and 5

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 2, 3, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis. Lewis discloses an enclosure as recited in claim 1 as described above including a pair of opposed vertical stiles (members 21 and 35) each having an upper end, an opposed lower end, and an intermediate portion, and including at least one cross member (34) extending between the stiles, the cross member having opposed ends, but does not specifically disclose fasteners on the cross member. He does however disclose fasteners (27) for connecting various components of his assembly. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include fasteners at the ends of a cross member for securing the member to the stiles because this would insure a solid connection between the components and provide a more solid assembly.

13. Regarding claim 3, Lewis further discloses a top rail, an intermediate rail, and a bottom rail (all 34, see Figure 1) extending between the upper ends, intermediate portions, and lower ends of the stiles respectively.

14. Regarding claims 8 and 9, Lewis, modified as described above, discloses the fasteners are threaded studs protruding from end portions of the members.

15. Claims 1-6, 8-11, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halic (US Patent Number 5700195) in view of Lewis.

16. Regarding claims 1 and 22, Halic (Figures 2 and 3) discloses a security enclosure for a gaming machine system comprising: a gaming machine main housing (4) defining a chamber and having a major opening (at the front of the cabinet); a gaming machine door assembly (8) operably connected to the gaming machine main

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housing and movable between an open position providing external access to the chamber and a closed position securing the major opening (shown only in the closed position, but an open position is discussed in column 2 lines 50-52, for instance); and the gaming machine door assembly comprising a plurality of components (viewed as elements A, B, C, D, etc. in Exhibit 1), at least some of the components being elongated members (members A for instance). Halic does not specifically disclose fasteners at ends of the components. Lewis discloses an enclosure for a gaming machine system including fasteners (27) for mating elongated components. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use fasteners as taught by Lewis for connecting the various members of Halic's door assembly because this would insure a solid connection between the components and provide a more solid assembly. When modified in this manner, Halic's enclosure system would facilitate individual finishing of his components (in as much as Applicant's device does so).

17. Regarding claim 2, Halic, modified by Lewis as described above, discloses a pair of opposed vertical stiles (A) each having an upper end, an opposed lower end, and an intermediate portion, and including at least one cross member (B) extending between the stiles, the cross member having opposed ends each having a fastener engaging a corresponding fastener on each of the stiles (at least a hole for receiving a screw).

18. Regarding claim 3, Halic further discloses a top rail (B), an intermediate rail (C), and a bottom rail (D) extending between the upper ends, intermediate portions, and lower ends of the stiles respectively.

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19. Regarding claim 4, Halic further discloses a belly door (10) connected to the gaming machine door assembly and operable between an open position in which a selected one of the rails (D) is visible (see Figure 3), and a closed position in which the selected one of the rails is concealed (see Figure 2, where D is concealed).

20. Regarding claims 5, 6, and 10, Halic, modified by Lewis as described above, discloses an enclosure as recited in claim 4, but does not disclose specifics of surface finishes. Varying the surface finishes of devices is well known in the art however, as shown by Lewis who further discloses varying surface finishes (column 1 lines 11-19), as well as surface coatings (column 2 lines 50-52). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use varying surface finishes and finish qualities on the rails or other components of the enclosure as taught by Lewis to alter the aesthetic qualities of the device as desired by a user.

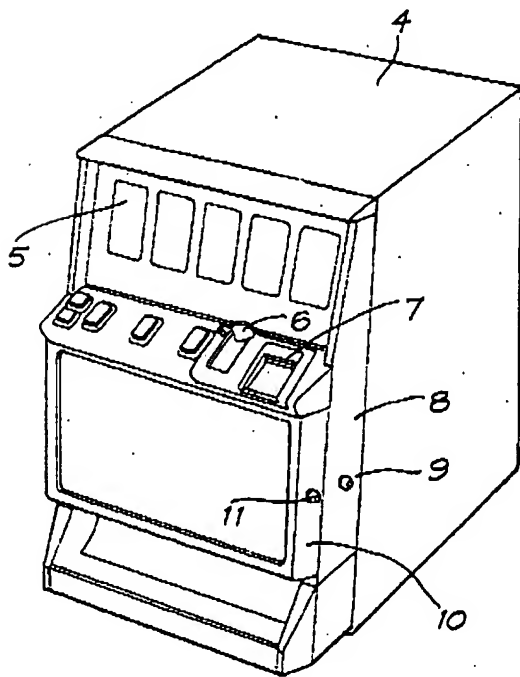
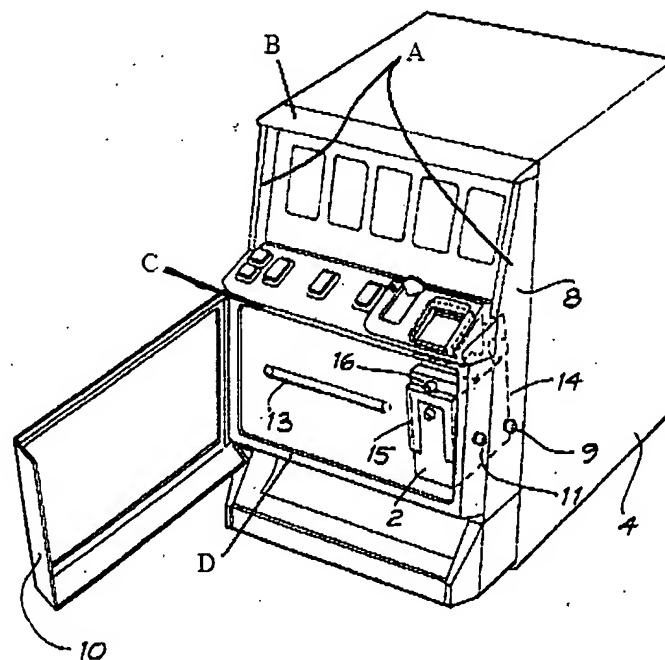
21. Regarding claims 8 and 9, Halic, when modified by Lewis as described above, further discloses the fasteners are threaded studs protruding from end portions of the members.

22. Regarding claim 11, Halic, when modified by Lewis as described above, further discloses the components are secured closely to each other, such that the gaming machine door assembly is free of gaps to prevent unwarranted entry to the chamber when the gaming machine door assembly is closed.

23. Regarding claims 20 and 21, Halic when modified by Lewis as describe above, discloses an enclosure as recited in claim 1, but does not disclose coating or plating of

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components. Lewis further discloses individual finishing of components including coating or plating (column 2 lines 50-52 describes a laminate, viewed as a coating or plating). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use include coating or plating for the components of the enclosure as taught by Lewis to alter the aesthetic qualities of the device as desired by a user.

**FIG. 2****FIG. 3****Exhibit 1: Halic '195 Figures 2 and 3**

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24. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Halic in view of Lewis and Pauer et al. (US Patent Number 5234267). Halic, modified by Lewis as described above, discloses an enclosure as recited in claim 5 including a coating applied directly to a material forming the selected one of the rails, but does specifically disclose metal plating. Metal plating however, is well known as shown by Pauer, who discloses an enclosure incorporating metal plated rails (see the last sentence of the abstract). Accordingly, it would have been obvious to incorporate metal plating in Halic's device, previously modified by Lewis, as taught by Pauer because of the visual effect that this could produce.

Response to Arguments

25. Applicant's arguments, see the first page of remarks, filed 10 July 2006, with respect to the objections to the drawings and claim 5, and the 35 USC 112 rejections of claims 1-11 have been fully considered and are persuasive. The objections to the drawings and claim 5, and the 35 USC 112 rejections of claims 1-11 have been withdrawn. Note that new 35 USC 112 rejections have been presented in this Office Action.

26. The remainder of Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection.

Conclusion

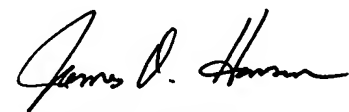
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFG

8/4/2006



JAMES O. HANSEN
PRIMARY EXAMINER